#### Title III Accountability

Title III of the No Child Left Behind (NCLB) Act of 2001, establishes sanctions or consequences for Local Education Agencies (LEAs), or school districts, which do not meet Title III Annual Measurable Achievement Objectives (AMAOs). An AMAO is a performance objective, or target, that all LEAs must meet each year for those students in an LEP program. Part 1 details NCLB requirements. Part II details the state developed annual objectives/targets and definitions.

All LEAs, Title III, and non-Title III LEAs alike, serving Limited English Proficient (LEP) students <sup>1</sup> are held accountable to demonstrating annual progress and proficiency in English language acquisition (NCLB, Title III, section 3122 (b)). The AMAO accountability structure set forth in Title III is a 3-tiered structure. The first 2 AMAOs are determined by the Utah Academic Language Proficiency Assessment (UALPA) and the 3rd AMAO is based on the AYP determinations.

## Title III Accountability for LEP Student Achievement

#### #1

Annual increases in the percent or number of LEP students making progress in acquiring English language proficiency

#### #2

Annual increases in the percent or number of LEP students attaining English language proficiency by the end of the school year, as determined by an English language proficiency assessment.

#### #3

Making AYP (adequate yearly progress) on the spring or end-of-level assessments for the LEP subgroup identified (section 111.1(b)(2)(B)).

<sup>&</sup>lt;sup>1</sup>LEP students are English language learners (ELLs) who are specifically placed in a language development program, based on the home language survey (HLS) and the LEA's placement test.

http://www2.ed.gov/policy/elsec/guid/saaguidance03.doc

#### I. LIMITED ENGLISH PROFICIENT (LEP) STUDENTS

#### I-1. What assessments are required for LEP students?

There are two assessment requirements for students with limited English proficiency (LEP).

- O States must include all LEP students in their state assessment system. States may not exempt LEP students from participating in the State assessment system in their first three years of attending schools in the United States. Inclusion in the State academic assessment system must immediately begin when the student enrolls in school. No exemptions are permitted based on level of English proficiency. Inclusion of LEP students can take the form of providing appropriate linguistic accommodations and/or using an assessment in the student's native language that is aligned to the State content and achievement standards. After three years of attending a school in the United States (except for those residing in Puerto Rico), students must be assessed in reading/language arts in English. If an LEA determines, on a case-by-case individual basis, that native language versions of academic assessments would yield more accurate and reliable information on what a student knows and can do, the LEA may assess a student in reading/language arts in the appropriate language other than English for a period that does not exceed two additional years.
- Districts must annually assess their LEP students on their English language proficiency in listening, speaking, reading, and writing. See Section N - Assessments of English Language Proficiency-for more detailed information on this requirement.

#### I-2. What accommodations are allowed for LEP students on a State's academic assessments?

Accommodations for limited English proficient students may include native-language assessments, extra time, small group administration, flexible scheduling, simplified instructions, and allowing the use of dictionaries. Other accommodations might include providing audio-taped instructions in the native language, allowing students to respond in either their native language or English using audiotape, and providing additional clarifying information at the end of the test booklet or throughout the test (e.g., synonyms for unclear or idiomatic words and phrases).

### I-3. Must States provide for native language assessments?

To the extent practicable, States must make every effort to develop and administer native language assessments, if doing so is likely to yield the most accurate and reliable information about what those students know and can do. If the administration of native language assessments is not practicable, for example, when only a small percentage of limited-English students in the State speak a particular language, States must offer students of limited English proficiency other appropriate accommodations in order to yield accurate and reliable information on what those students know and can do in subjects others than English.

## I-4. How long may States administer native language assessments in reading/language arts to LEP students?

A State must assess, using assessments written in English, the achievement of any LEP student in meeting the State's reading/language arts academic standards if the student has attended schools in the United States for three or more consecutive years. An LEA may continue, for no more than two additional consecutive years, to assess an LEP student with a native language assessment, if the LEA determines, on a case-by-case basis, that a student has not reached a level of English language proficiency sufficient to yield valid and reliable information on what the student knows and can do on reading/language arts assessments written in English.

### VI. ASSESSMENTS OF ENGLISH LANGUAGE PROFICIENCY

#### N. ASSESSMENTS OF ENGLISH LANGUAGE PROFICIENCY

## N-1. What are the requirements for testing English language proficiency under Title I and Title III?

The requirement for testing for English proficiency is the same under both Titles I and III. Both Titles I and III require LEAs and SEAs to provide for an annual assessment of English language proficiency in the four domains of reading, writing, speaking, and listening. Title III also requires LEAs and SEAs to report student progress in English comprehension. Although Title III requires SEAs and LEAs to report a separate score for the domain of comprehension, a separate assessment instrument is not required for Title I and Title III. Comprehension can be demonstrated through reading and listening. For the measurement of reading comprehension, LEAs may report on a student's ability to read grade-level English proficiency texts with understanding. The measurement of listening comprehension includes both the student's ability to comprehend and respond in social interactions and the student's ability to understand and perform in academics.

# N-2. Must an SEA use a common assessment of English language proficiency statewide or may an SEA use multiple assessments?

No. States do not need to require the use of one particular assessment by all school districts in the State. However, the use of one English language proficiency assessment will enhance the ability of the State to demonstrate progress uniformly throughout the State for reporting purposes.

If States allow multiple English language proficiency assessments throughout the State, States should:

- Set technical criteria for the assessments.
- Ensure the assessments are equivalent to one another in their content, difficulty, and quality.
- o Review and approve each assessment.
- o Ensure that the data from all assessments can be aggregated for comparison and reporting purposes, as well as disaggregated by English language proficiency levels and grade levels.